UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _23 January 2008_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-24_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-24_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's argument with respect to claim 1-24 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

   1.   Determining the scope and contents of the prior art.
   2.   Ascertaining the differences between the prior art and the claims at issue.
   3.   Resolving the level of ordinary skill in the pertinent art.
   4.   Considering objective evidence present in the application indicating
          obviousness or nonobviousness.

3.   Claims 1-4, 6, 12-17, 22, and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chaskar (U.S.Pub-20040224702) in view of Coffee et al. (U.S.Pub-

20060182055).

   <u>Regarding claim 1</u>, Chaskar teaches a method of providing a service to a user of

the service comprising the steps of:

establishing a first communication connection (fig.3-4, [0003], claim 1), the first

communication connection being between a user communication device (mobile station)

and a service provider agent (fig.3-4, [0003], claim 1);

requesting a service from the service provider agent via the first communication

connection (fig.3-4, [0003], claim 1);

providing location information identifying the location of the user to the service

provider agent (fig.6, [0039], [0051], claim 1);

Chaskar fails to specifically disclose dispatching a service provider to the user

based upon the requested service and the location information; establishing a second

communication connection; establishing a second communication connection, the

second communication connection being a direct communication connection between

the user communication device and the service provider; and completing a service

transaction via the second communication connection upon rendering of the service at

the location of the user by the service provider . However, Coffee teaches dispatching a

service provider to the user based upon the requested service ([0010] and [0013]) and

the location information ([0013]); establishing a second communication connection

(fig.9b-9c, link 108); establishing a second communication connection (fig.9b-9c, link

108, [0349]-[0350]), the second communication connection being a direct

communication connection between the user communication device and the service

provider ([0349]-[0350]); and completing a service transaction via the second

communication connection upon rendering of the service at the location of the user by

the service provider ([0013]). Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to apply the teaching of

Coffee to Chaskar to be automated status reporting such as arrival at a job site.

Regarding claim 2, Chaskar and Coffee further teach the method of claim 1,

wherein the first communication connection comprises a wireless communication

connection selected from the group of wireless communication connections comprising:

a cellular radiotelephone communication connection (see Chaskar, fig.6, [0039], [0051],

claim 1), a paging communication connection and a wireless data communication

connection (see Chaskar, fig.6, [0039], [0051], claim 1).

Regarding claim 3, Chaskar and Coffee further teach the method of claim 1,

wherein the step of providing location information comprises determining location

information at the user communication device (see Chaskar, [0039], [0051], claim 1)

and communicating the location information to the service provider agent via the first

communication link (see Chaskar, [0039], [0051], claim 1)

Regarding claim 4, Chaskar and Coffee further teach the method of claim 1,

wherein the second communication connection is established relative to the proximity of

user communication device and the service provider (see Coffee, [0349]-[0350]).

Regarding claim 6, Chaskar and Coffee further teach the method of claim 1,

wherein the step of dispatching a service provider comprising obtaining service

preference data for the user (see Coffee, [0013]).

Regarding claim 12, Chaskar and Coffee further teach the method of claim 1,

wherein the step of dispatching a service provider to the user comprises informing the

user to transit to a location of the service provider (see Coffee, [0010], [0013]).

Regarding claim 13, Chaskar teaches a user communication device comprising:

a processor coupled to a memory (fig.2 controller, memory), the memory

including a control program for controlling operation of the processor (fig.2);

a transceiver coupled to the processor (fig.2), transceiver being operable to

establish a first communication connection with a service provider agent (fig.3-4, [0003],

claim 1) and a second communication connection with a service provider (not show);

and

a user interface coupled to the processor (fig.2);

wherein, the processor is operable responsive to an input at the user interface

(fig.2) to cause the transceiver to communicate via the first communication connection a

service request to the service provider agent (fig.3-4, [0003], claim 1), the service

request including location information relating to the user communication device (fig.3-4,

[0003], claim 1), and to communicate service transaction data directly with the service

provider (not show), which is dispatched to a location of the user responsive to the

service request and the location information (not show), via the second communication

connection upon rendering of the requested service (not show).

Chaskar fails to specifically disclose a second communication connection with a

service provider, and communicate service transaction data <u>directly with</u> the service

provider, which is dispatched to <u>a location of</u> the user responsive to the service request

and the location information, via the second communication connection upon rendering

of the requested service. However, Coffee teaches a second communication connection

with a service provider, and communicate service transaction data <u>directly with</u> the

service provider (fig.9b-9c, link 108, [0349]-[0350]), which is dispatched to <u>a location of</u>

the user responsive to the service request ([0010] and [0013]) and the location

information ([0013]), via the second communication connection upon rendering of the

requested service ([0013]). Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to apply the teaching of

Coffee to Chaskar to be automated status reporting such as arrival at a job site.

Regarding claim 14, Chaskar and Coffee further teach the user communication

device of claim 13, wherein the location information comprises user communication

device determined location data (see Chaskar, [0025]-[0026]).

Regarding claim 15, Chaskar and Coffee further teach the user communication

device of claim 13, wherein the service request comprises user service preference data

(see Chaskar, [0025]-[0026]).

Regarding claim 16, Chaskar and Coffee further teach the user communication

device of claim 13, wherein the service request comprises user preference look-up data

(see Chaskar, [0025]-[0026]).

Regarding claim 17 is rejected with the same reasons set forth in claim 2.

Regarding claim 22, Chaskar and Coffee further teach the user communication device of claim 13, comprising a location detector coupled to the processor to provide the location information (see Chaskar, fig.2).

Regarding claim 24, Chaskar teaches an apparatus associated with a user comprising:

means for communicating a service request from the user (mobile station) to a service provider agent (fig.3-4, [0003], claim 1);

means for providing location information associated with the user of a service to the service provider agent (fig.6, [0039], [0051], claim 1); and

means for directly communicating service transaction data with a service provider dispatched to a location of the user responsive to the service request and the location information thereby completing a service transaction upon rending of the service by the service provider.

Chaskar fails to specifically disclose means for directly communicating service transaction data with a service provider dispatched to a location of the user responsive to the service request and the location information thereby completing a service transaction upon rending of the service by the service provider. However, Coffee teaches means for directly communicating service transaction data with a service provider dispatched to a location of the user responsive to the service request (fig.9b-

9c, link 108, [0349]-[0350]) and the location information <u>thereby completing a service</u>

<u>transaction upon rending of the service by the service provider</u> ([0013] and [0349]-

[0350]). Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to apply the teaching of Coffee to Chaskar to be

automated status reporting such as arrival at a job site.

4.   Claims 5, 7-11, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chaskar (U.S.Pub-20040224702) in view of Coffee (U.S.Pub-

20060182055) and further in view of Chan et al. (U.S.Pub-2004020638)

        <u>Regarding claim 5</u>, Chaskar and Coffee further teach the method of claim 1.

        Chaskar and Coffee fail to specifically wherein the second communication

connection comprises a communication connection selected from the group of

communication connections comprising a Bluetooth communication connection and an

802.11-type communication connection. However, Chan teaches wherein the second

communication connection comprises a communication connection selected from the

group of communication connections comprising a Bluetooth communication connection

and an 802.11-type communication connection (paragraph 0005, 0022). Therefore, it

would have been obvious to one having ordinary skill in the art at the time the invention

was made to apply the teaching of Chan to Coffee and Chaskar to provide a method for

delivering service to users.

Regarding claim 7, Chaskar, Chan, and Coffee further teach the method of claim 1, wherein the step of completing a service transaction comprises communicating an information token (see Chan, abstract).

Regarding claim 8, Chaskar, Chan, and Coffee further teach the method of claim 7, wherein the information token comprises service instructions (see Chan, abstract).

Regarding claim 9, Chaskar, Chan, and Coffee further teach the method of claim 7, wherein the information token comprises payment data (see Chan, paragraph 0040-0042).

Regarding claim 10, Chaskar, Chan, and Coffee further teach the method of claim 1, wherein the step of requesting a service is affected in a single user action (see Chan, abstract, [0040]-[0042]).

Regarding claim 11, Chaskar, Chan, and Coffee further teach the method of claim 10, wherein the single user action comprises selection of a bookmark for establishing the first communication connection and requesting the service (see Chan, abstract, [0040]-[0042]).

Regarding claim 18 is rejected with the same reasons set forth in claim 5.

Regarding claim 19 is rejected with the same reasons set forth in claim 5.

Regarding claim 20 is rejected with the same reasons set forth in claim 7.

Regarding claim 21 is rejected with the same reasons set forth in claim 9.

Regarding claim 23 is rejected with the same reasons set forth in claim 10.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KHAI M. NGUYEN whose telephone number is

(571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art
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/Khai M Nguyen/
Examiner, Art Unit 2617   3/24/2008